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C O N F I D E N T I A L SECTION 01 OF 02 BANGKOK 001715

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TAGS: [PGOV](#) [PREL](#) [PREF](#) [PHUM](#) [ECON](#) [EINV](#) [KDEM](#) [TH](#)

SUBJECT: THAI PM SURAYUD ON RESTORING CIVIL LIBERTIES

REF: A. BANGKOK 1269 (COMPULSORY LICENSES)

[1](#)B. BANGKOK 1034 (DEFYING RESTRICTIONS)

[1](#)C. BANGKOK 883 (FOREIGN BUSINESS ACT)

[1](#)D. BANGKOK 596 (HMONG)

[1](#)E. BANGKOK 179 (MEETING WITH SURAYUD)

Classified By: Ambassador Ralph L. Boyce, reason: 1.4 (b) and (d).

SUMMARY

[1](#)1. (C) Prime Minister Surayud Chulanont told the Ambassador the RTG would lift restrictions on political party activity in April, after the completion of the first draft of the Constitution -- but we are not convinced the RTG will follow through. In a March 22 phone call, Surayud said the RTG would lift martial law after passing an internal security act modeled on the U.S. Homeland Security Act. He anticipated a return to democracy by the end of the year. He sought to reassure the U.S. business community that the RTG would "soften" proposed amendments to the Foreign Business Act, and that he would try to prevent the issuance of new compulsory licenses for patented medications. Surayud downplayed reports of rifts between his administration and the Council for National Security (CNS). Responding to the Ambassador's request for assistance, he said he believed certain Hmong refugees would be able to resettle in third countries. End Summary.

HOPING TO REASSURE THE U.S. AUDIENCE

[1](#)2. (C) The Ambassador called Prime Minister Surayud on March 22, informing the Prime Minister of his upcoming travel to the U.S. (primarily for the U.S.-ASEAN Business Council's Chief of Mission tour), and asking if he had any points he wanted to convey. Surayud said he had three principal messages:

- The government was doing its best to restore democracy as soon as possible, and he anticipated this would be complete by the year's end;

- He was working to "soften" proposed amendments to the Foreign Business Act (ref C) before the draft legislation would go before the parliament, likely during the week of March 26-30; and

- He was working to prevent the issuance of further compulsory licenses for patented medications (see ref A).

CIVIL LIBERTIES

13. (C) The Ambassador welcomed these points. He noted that the administration and the Council for National Security (CNS) appeared to have essentially followed their original timetable for restoring democracy, but international concerns remained. Matters of particular concern included the restoration of the right of political parties to conduct activities (ref B), and the rescission of martial law.

14. (C) Surayud said that the RTG would restore the rights of political parties to conduct political activities in April, after the Constitution Drafting Committee (CDC) completes the first draft of the constitution. (Note: The CDC's target date for completion of the first draft is April 19. End Note.) The rescission of martial law would wait for the passage of a new internal security act, currently in the drafting stage, which would be modeled on the U.S. Homeland Security Act. Surayud said the Internal Security Operations Command (ISOC) would take on a role analogous to that of the U.S. Department of Homeland Security. As in a January meeting with the Ambassador (ref E), Surayud claimed it was necessary to retain martial law until passage of the internal security act in order to provide legal authority for military operations in border areas.

RELATIONS WITH THE CNS

15. (C) Surayud mentioned that he had discussed this plan for lifting martial law with CNS Chairman General Sonthi Boonyaratglin, and Sonthi was in accord. The Ambassador raised the public controversy that had arisen this week over

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Sonthi's evasive answer when asked by a journalist if he could ever become Prime Minister. Surayud said he had discussed this matter with Sonthi, and he felt Sonthi's comments on this topic had been manipulated by the media after a journalist pressed him repeatedly to address this hypothetical possibility. Surayud assured the Ambassador that, contrary to rumors hyped in the press, the CNS and the government had a harmonious relationship.

HMONG

16. (C) The Ambassador thanked Surayud for having intervened to stop the deportation of a group of Hmong refugees currently detained in Nong Khai to Laos (ref D). He noted that Australian officials were prepared to resettle some other Hmong refugees in Australia, but the Thai National Security Council had blocked this move. Surayud said he would look into this matter, which should be easy to resolve.

Surayud highlighted that this group was in special circumstances, separate from a much larger group in Petchabun. The Ambassador said the USG recognized Thai concerns about resettlement abroad potentially attracting more Hmong into Thailand, and he emphasized the USG's desire to work cooperatively with the Thais on Hmong issues.

COMMENT

17. (C) We welcome Surayud's commitment to lift restrictions on political parties in the coming weeks. However, we see no logical reason to retain these restrictions until (and only until) the constitution's first draft is complete. Surayud may have just been kicking the can down the road, and we are not convinced the RTG will meet this target date. On the Hmong, we hope that Surayud's intervention may break the logjam that has halted any progress on resettlement for recognized Hmong refugees.

BOYCE